

Message Text

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44

ACTION L-03

INFO OCT-01 AF-08 EUR-12 ISO-00 CIAE-00 INR-07 NSAE-00

COME-00 INT-05 OES-06 IO-13 DLOS-06 SSO-00 EB-07

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FM AMEMBASSY LONDON

TO SECSTATE WASHDC IMMEDIATE 4529

INFO AMEMBASSY PRETORIA IMMEDIATE

AMCONSUL CAPE TOWN

AMCONSUL DURBAN

AMCONSUL JOHANNESBURG

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E.O. 11652: N/A

TAGS: TBIO SENV EFIS SF UK

SUBJECT: NAMIBIAN FUR SEALS

REF: STATE 200490

1. WE PASSED REQUEST CONTAINED REFTEL TO UN DEPARTMENT FCO AUGUST 13. JOHN SYMONS, DEPUTY HEAD UN DEPARTMENT, STATED THAT BY COINCIDENCE FCO LEGAL ADVISERS HAVE RECENTLY BEEN STUDYING THE STATUS OF WALVIS BAY AND THE GUANO AND PENGUIN ISLANDS. ACCORDING TO THEM, THERE IS NOTHING TO SUGGEST THAT SOUTH AFRICAN SOVEREIGNTY OVER THESE TERRITORIES CAN BE QUESTIONED. OPINION BASED ON VARIOUS HISTORICAL STATE PAPERS AND HERTSELT'S MAP OF AFRICA BY TREATY. IN RESPONSE TO SPECIFIC QUESTIONS LISTED REFTEL, LEGAL ADVISER STATED THAT

A. YES, ACT OF JULY 6, 1874 WOULD GIVE EFFECTIVE SOVEREIGNTY OVER THE ISLANDS TO THE CAPE COLONY.

B. THERE WAS NO UNDERSTANDING BETWEEN GREAT BRITAIN
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AND GERMANY TRANSFERRING SOVEREIGNTY OVER THE ISLANDS

TO GERMANY.

C. THE ISLANDS WERE NOT CONSIDERED GERMAN PROTECTORATE
TERRITORY UNDER THE LEAGUE OF NATIONS MANDATE.

DETAILS OF FCO'S HISTORICAL RESEARCH WILL BE POUCHED
ASAP.

2. IN ADDITION, THE LEGAL ADVISER STATED THAT THE
SOUTHWESTERN AFRICA SURVEY OF 1975 PUBLISHED BY THE SOUTH
AFRICAN GOVERNMENT REFERS TO THE ISLANDS AS BEING IN THE
SAME CATEGORY AS WALVIS BAY, I.E., SOUTH AFRICAN
TERRITORIES. THERE IS A SPECIAL SUPERINTENDENT FOR THE
ISLANDS ATTACHED TO THE SOUTH AFRICAN MINISTRY OF
AGRICULTURE.

3. SYMONS STATED THAT FCO WOULD PREFER THAT IT NOT BE
CITED AS SOURCE OF ABOVE INFORMATION. HOWEVER, THERE IS
OBVIOUSLY NO OBJECTION TO PUBLICLY CITING THE HISTORICAL
RECORD.

ARMSTRONG

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Message Attributes

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